



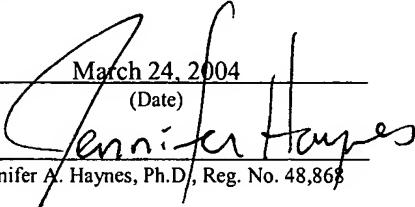
PATENT

Case Docket No. DAVI125.001CP1  
Date: March 24, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Daly, John  
Appl. No. : 10/658,093  
Filed : September 9, 2003  
For : CONSTRUCTS FOR GENE  
EXPRESSING ANALYSIS  
Examiner : Unknown  
Group Art Unit : Unknown

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

March 24, 2004  
(Date)  
  
Jennifer A. Haynes, Ph.D., Reg. No. 48,868

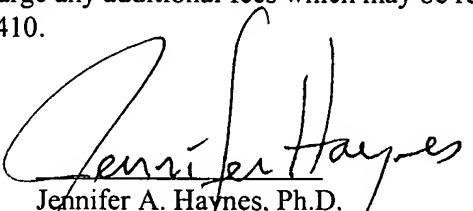
TRANSMITTAL LETTER

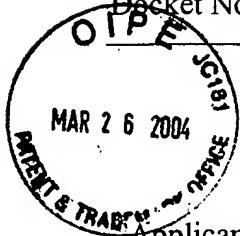
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing in the above-identified application are:

- (X) An Information Disclosure Statement.
- (X) A PTO Form 1449 with Thirty-four (34) references.
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.
- (X) Return prepaid postcard.

  
Jennifer A. Haynes, Ph.D.  
Registration No. 48,868  
Agent of Record  
Customer No. 20,995  
(415) 954-4114

**INFORMATION DISCLOSURE STATEMENT**

Applicant	:	Daly, John
App. No.	:	10/658,093
Filed	:	September 9, 2003
For	:	CONSTRUCTS FOR GENE EXPRESSING ANALYSIS
Examiner	:	Unknown
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed is form PTO-1449 listing 34 references that are also enclosed.

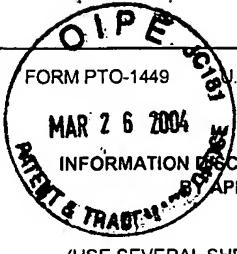
This Information Disclosure Statement is being filed before the receipt of a first Office Action on the merits, and presumably no fee is required in accordance with 37 C.F.R. § 1.97(b)(3). If a first Office Action on the merits was mailed before the mailing date of this Statement, the Commissioner is authorized to charge the fee set forth in 37 C.F.R. § 1.17(p) to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: Mar. 24, 2004

By: Jennifer Haynes  
Jennifer A. Haynes, Ph.D.  
Registration No. 48,868  
Agent of Record  
Customer No. 20,995  
(415) 954-4114

FORM PTO-1449  U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE <b>MAR 26 2004</b> <b>INFORMATION DISCLOSURE STATEMENT</b> <b>BY APPLICANT</b> (USE SEVERAL SHEETS IF NECESSARY)		ATTY. DOCKET NO. DAVI125.001CP1	APPLICATION NO. 10/658,093
		APPLICANT Daly, John	
		FILING DATE September 9, 2003	GROUP Unknown

## U.S. PATENT DOCUMENTS

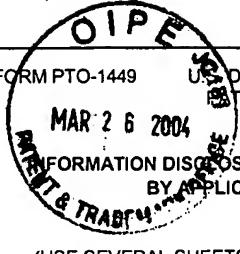
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)
1.	5,464,758	11/7/95	Gossen et al.			
2.	5,625,048	4/29/97	Tsien et al.			
3.	5,650,135	7/22/97	Contag et al.			
4.	5,777,079	7/7/98	Tsien et al.			
5.	5,804,387	9/9/98	Cormack et al.			
6.	6,130,313	10/10/00	Li et al.			

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

EXAMINER INITIAL	OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)	
/	7.	Chen and Shyu, "AU-rich elements: characterizations and importance in mRNA degradation" TIBS 20:465-470 (November 1995)
/	8.	Dandekar et al., " Systematic genomic screening and analysis of mRNA in untranslated regions and mRNA precursors: combining experimental and computational approaches" Bioinformatics 14(3):271-278 (1998)
/	9.	Darzynkiewics et al., "Laser-Scanning Cytometry: A New Instrumentation with Many Applications" Experimental Cell Research 249:1-19(1999)
/	10.	Gallie et al., "The histone 3'-terminal stem-loop is necessary for translation in Chinese hamster ovary cells" Nucleic Acids Research 24(10):1954-1962 (1996)

EXAMINER	DATE CONSIDERED
*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.	

 FORM PTO-1449 MAR 26 2004 INFORMATION DISCLOSURE STATEMENT BY APPLICANT (USE SEVERAL SHEETS IF NECESSARY)	ATTY. DOCKET NO. DAVI125.001CP1	APPLICATION NO. 10/658,093
	APPLICANT Daly, John	
	FILING DATE September 9, 2003	GROUP Unknown

EXAMINER INITIAL	OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)
✓	11. Gasdaska et al., "Regulation of Human Thioredoxin Reductase Expression and Activity by 3'-Untranslated Region Selenocysteine Insertion Sequence and mRNA Instability Elements" <i>The Journal of Biological Chemistry</i> 274(36):25379-25385 ( September 3, 1999)
✓	12. Gramolini et al., "Distinct regions in the 3' untranslatable region are responsible for targeting and stabilizing utrophin transcripts in skeletal muscle cells" <i>The Journal of Cell Biology</i> 154(6):1173-1183 (September 17, 2001)
✓	13. Henics et al., "Mammalian Hsp70 and Hsp110 Proteins Blind to RNA Motifs Involved in mRNA Stability" <i>The Journal of Virological Chemistry</i> 274(24):17318-17324 (June 11, 1999)
✓	14. Holcik and Loebhaber, "Four highly stable eukaryotic mRNA's assemble 3' untranslatable region RNA-protein complexes sharing cis and trans components" <i>Proc. Natl. Acad. Sci. USA</i> 94:2410-2414 (March 1997)
✓	15. Huet et al., "Cyclin A Expression Is Under Negative Transcriptional Control during the Cell Cycle" <i>Molecular and Cellular Biology</i> 16(7):3789-3798 (July 1996)
✓	16. Lagnado et al., "AUUUA Is Not Sufficient To Promote Poly(A) Shortening and Degradation of an mRNA: the Functional Sequence within AU-Rich Elements May be UUAUUUA(U/A)(U/A)" <i>Molecular and Cellular Biology</i> 14(12):7984-7995 (December 1994)
✓	17. Laterza et al., "Mapping and functional analysis of an instability element in phosphoenolpyruvate carboxykinase mRNA" <i>Am J Physiol Renal Physiol</i> 279:F866-F873 (2000)
✓	18. Leclerc et al., "Development of a Destabilized Firefly Luciferase Enzyme for Measurement of Gene Expression" <i>BioTechniques</i> 29:590-601 (September 2000)
✓	19. Lee et al., "Regulation of Cyclin D1 DNA Topoisomerase I, and Proliferating Cell Nuclear Antigen Promoters During the Cell Cycle" <i>Gene Expression</i> 4:95-109 (1995)
✓	20. Li et al., "Generation of Destabilized Green Fluorescent Protein as a Transcription Reporter" <i>The Journal of Biological Chemistry</i> 273(52):34970-34975 (December 25, 1998)
✓	21. Liu et al., " $\alpha$ 1 Adrenergic Agonist Induction of p21 <sub>wasf1/cip1</sub> mRNA Stability in Transfected HepG2 Cells Correlates with the Increased Binding of an AU-rich Element Binding Factor" <i>The Journal of Biological Chemistry</i> 275(16):11846-11851 (April 21, 2000)
✓	22. Newman et al., "DST Sequences, Highly Conserved among Plant SAUR Genes, Target Reporter Transcripts for Rapid Decay in Tobacco" <i>The Plant Cell</i> 5:7-1-714 (June 1993)
✓	23. Peng et al., "Functional Characterization of a Non-AUUUA AU-Rich Element from the c-jun Proto-Oncogene mRNA: Evidence for a Novel Class of AU-Rich Elements" <i>Molecular and Cellular Biology</i> 16(4):1490-1499 (April 1996)
✓	24. Ross, Jeff, "mRNA Stability in Mammalian Cells" <i>Microbiological Reviews</i> 59(3):423-450 (September 1995)
✓	25. Saito et al., "Okadaic Acid-Stimulated Degradation of p35, and Activator of CDK5, by Proteasome in Cultured Neurons" <i>Biochemical and Biophysical Research Communications</i> 225:775-778 (1998)
✓	26. Schiavone et al., "A conserved AU-rich element in the 3 untranslated region of bcl-2 mRNA is endowed with a destabilizing function that is involved in bcl-2 down-regulation during apoptosis" <i>The FASEB Journal</i> 14:174-184 (January 2000)
✓	27. Shyu et al., "The c-fos transcript is targeted for rapid decay by two distinct mRNA degradation pathways" <i>Genes + Development</i> 3:60-72 (1989)
✓	28. Surdej and Jacobs-Lorena, "Developmental Regulation of bicoid mRNA Stability Is Mediated by the First 43 Nucleotides of the 3' Untranslated Region" <i>Molecular and Cellular Biology</i> 18(5):2892-2900 (May 1998)
✓	29. Thomson et al., "Iron-regulatory proteins, iron-responsive elements and ferritin mRNA translation" <i>The International Journal of Biochemistry &amp; Cell Biology</i> 31:1139-1152 (1999)

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<p>FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE</p> <p><b>MAR-26 2004</b></p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p>(USE SEVERAL SHEETS IF NECESSARY)</p>	ATTY. DOCKET NO. DAVI125.001CP1	APPLICATION NO. 10/658,093
	APPLICANT Daly, John	
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✓	30. Vazhappilly and Sucher, "Turnover analysis of N-methyl- -aspartate receptor subunit NR1 protein in PC12 cells" Neuroscience Letters 318:153-157 (2002)
✓	31. Xu et al., "Modulation of the Fate of Cytoplasmic mRNA by AU-Rich Elements: Key Sequence Features Controlling mRNA Deadenylation and Decay" Molecular and Cellular Biology, 17(8):4611-4621 (August 1997)
✓	32. Yu and Russell, "Structural and Functional Analysis of an mRNP Complex That Mediates the High Stability of Human β-Globin mRNA" Molecular and Cellular Biology 21(17):5879-5888 (September 2001)
✓	33. Zhou et al., "Regulation of the Stability of Heat-Stable Antigen mRNA by Interplay between Two Novel cis Elements in the 3' Untranslated Region" Molecular and Cellular Biology 18(2):815-826 ( February 1998)
✓	34. Zubiaga et al., "The Nonamer UUAUUUAUU Is the Key AU-Rich Sequence Motif That Mediates mRNA Degradation" Molecular and Cellular Biology 15(4):2219-2230 (1995)

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